

# LEGAL SERVICES COMMISSION

## WELSH LANGUAGE SCHEME

Prepared under the Welsh Language Act 1993



## **WELSH LANGUAGE SCHEME POLICY STATEMENT**

The Legal Services Commission has adopted the principle that in the conduct of public business and the administration of justice in Wales, it will treat the English and Welsh languages on a basis of equality. This Scheme sets out how the Legal Services Commission will give effect to that principle when providing services to the public in Wales.

### **AIMS OF THE POLICY**

The aim of the policy is to enable everyone who receives a service from the Legal Services Commission in Wales, or communicates with it, to do so through the medium of English or Welsh, according to their personal choice.


The Legal Services Commission's Welsh Language Scheme was approved by the Welsh Language Board on 16 March 2006 and this revised version was approved on 8 June 2009.

This Scheme will not be altered without the prior approval of the Welsh Language Board.

## Foreword

The Legal Services Commission (LSC) helps people obtain publicly funded legal and advice services across England and Wales. Our work is particularly focused on ensuring that the vulnerable and socially excluded have access to justice. While the Access to Justice Act 1999 under which the LSC was founded makes no distinction between how we fulfil our functions in England and Wales, we recognise that there are diverging needs and increasing legislative and policy differences between the two countries. This influences our policy, design and delivery functions in Wales.

This Legal Services Commission Welsh Language Scheme outlines our commitment to the Welsh language when providing services to the public in Wales which includes members of the legal profession and any particular interest group in Wales to which we provide a service. We have adopted the principle that in the conduct of public business in Wales we will treat the English and Welsh languages on the basis of equality. This revised Scheme sets out how we will give effect to that principle when providing services to the public in Wales. We have been working closely with the Welsh Language Board in developing this revised Scheme and are now pleased to publish the final Scheme that we have adopted.



Carolyn Regan  
Chief Executive, Legal Services Commission

## **Introduction**

### **Who we are, how we are organised, and what we do.**

1. The Legal Services Commission (LSC) was established in April 2000. We are the successor body to the former Legal Aid Board. We are a non-departmental public body, accountable to the Justice Minister and sponsored by the Ministry of Justice.
2. The duties and responsibilities of the LSC are set out in the Access to Justice Act 1999. Our purpose is to help people get quality legal services that tackle real needs. This is our contribution to making the justice system fair, accessible and affordable for all, and to combating social exclusion. We are charged to establish, maintain and develop the Community Legal Service and the Criminal Defence Service. Across England & Wales, the LSC spends approximately £2 billion per annum on legal services – approximately £75 million per annum in Wales.
3. The LSC provides services in England and Wales. The administration of legal aid is not a devolved function.

## **General principles**

### **New policies and initiatives**

4. When developing new policies and procedures, or considering the impact of Government policies and initiatives, we will have full regard to the needs of users of the Welsh language. Our policies and initiatives will be consistent with the measures in this Scheme.
5. We will implement a formal process to ensure that the principles of the Welsh language scheme are considered at the implementation stage. We will do this by incorporating a requirement to consider any impact on this scheme in our standard project management process.

### **Service standards**

6. We are committed to delivering equally high quality services in Welsh as in English as defined in this scheme. Our performance targets and service standards apply equally to services provided in both languages. We will be consistent in the standard of services across all our offices, regardless of whether those services are delivered in Welsh or in English.
7. We will participate in justice sector committees and networks to promote the consistency of language use in the justice sector.

### **Responsibility for, and delivery of, the Scheme**

8. The Chief Executive of the LSC has overall responsibility for the operation of this Scheme.

## **Measures for dealing with the public in Wales**

This section is addressed to the users in Wales of LSC services

### **Forms**

9. Because you submit your legal aid application, and other forms, through your solicitor, we make our forms available to solicitors and legal advisors rather than direct to the public. They are supplied via our website. We have provided our forms in Welsh as well as English so that your solicitor or legal advisor can select the one most appropriate for you.
10. The bi-lingual forms are available in a similar design and the same standards as the English versions.
11. All new forms intended for the public in Wales will be available bilingually, with the favoured format being Welsh and English together in one document. However, should the size or complexity of the document dictate the need for separate Welsh and English versions, then both versions will be equally accessible and it will be stated in both that the document is also available in the corresponding version.
12. We will also accept English forms completed in Welsh.
13. The same service standards will apply for Welsh forms as for English forms.

### **Correspondence**

14. We welcome letters in Welsh. A reply will be sent in Welsh. Our target time and quality standards for replying to letters in Welsh are exactly the same as for replying to letters in English.
15. When initiating correspondence in any office that deals with users from Wales, we will write in Welsh to members of the public who we know prefer to correspond in the Welsh language, unless requested otherwise. We will maintain a current record of the names of individuals and organisations that have

expressed a wish to receive written correspondence through the medium of Welsh. Any “circular” letters we issue to the public in Wales will be bilingual.

16. Electronic correspondence will follow the same principles as above and the contact details of staff based in the Cardiff office on all electronic messages will be bilingual.

### **Telephone calls**

17. We have a Welsh Language Contact Point that deals with Welsh Language enquiries from people in Wales. If you telephone our Welsh Language Contact Point or our Wales office, you are welcome to use the Welsh Language.
18. If you telephone our Welsh Language Contact Point or our Wales office, we will answer the phone with a bilingual greeting.
19. If you wish to converse in Welsh but the person taking the call cannot do so, where possible we will transfer your call to a member of staff who speaks Welsh. If no Welsh speaker is available, we will give you the choice of a Welsh speaker returning your call or continuing the call in English.
20. Outside business hours, the message on the answerphone at our Welsh Language Contact Point and the Wales office will be bilingual.

### **Public meetings**

21. When we arrange meetings in Wales which members of the public can attend you are as welcome to speak in Welsh as in English. Invitations and notices publicising the event will be bilingual and will invite you to notify us in advance if you wish to use Welsh. We will provide translation facilities which will normally be by simultaneous interpretation.

### **Personal attendances**

22. Most of our business is conducted through correspondence or over the telephone, but we do receive a small number of personal callers. Callers to our Wales office are welcome to ask to see a member of staff who speaks Welsh. If

no Welsh speaker is available you will be given the choice of continuing the conversation in English or arranging an appointment when you can discuss your enquiry with a Welsh speaker or interpreter present.

23. If you are attending any of our offices that deal with the people of Wales in order to present an appeal against one of our decisions (for example, to refuse legal aid in your case or to withdraw your legal aid certificate) you are welcome to present your appeal in either English or Welsh. Prior to the appeal hearing you (or your legal representative) will be asked via an enquiry form if you wish to speak Welsh at the hearing. When such a request is made we will use our best endeavours to provide a bilingual appeal committee. Where that is not possible instantaneous translation facilities will be provided.
24. We have prepared internal guidance for all our employees explaining what they need to do to comply with the measures of this Scheme in their dealings with the general public in Wales.
25. We will record and share language choice with other agencies in the justice sector at the earliest opportunity and where confidentiality provisions permit.
26. We will consult with our contracted suppliers in Wales to identify what additional bilingual services we should provide and, where it is reasonable to do so, we will implement those services.

### **Corporate identity**

27. We have a Welsh language version of our logo. Any office designated to deal with regular work for people in Wales will use bilingual stationery when dealing with people in Wales.
28. Public signs for which we are responsible in and around our Wales office, and for display at our Conferences etc, are bilingual.
29. The Quality Mark Certificate which we award to quality-assured organisations and the signs they can then display, are available in Welsh as well as English.

### **Publications**

30. All materials intended for the public in Wales will be produced bilingually, with the favoured format being Welsh and English together in one document. However, should the size or complexity of the document dictate the need for separate Welsh and English versions, then both versions will be equally accessible and it will be stated in both that the document is also available in the corresponding version. Materials intended for the users of our services will have a higher priority for bilingual production than our policy publications which are intended for a smaller audience.
31. This Scheme does not cover technical documents, contracts, technical guidance, invitations to tender and similar publications (for example, consultation documents) where circulation is limited to the technical community e.g. solicitors, legal advisors and their representative bodies.

### **Internet Website**

32. The LSC currently has four websites – about the Commission, Community Legal Advice, designed to give advice to the public, the Legal Services Research Centre, and the Recruitment site. The CLA website will be available in both English and Welsh languages. All material on the other websites intended for the general public which originates in the Wales Office is also available bilingually. The LSC will ensure that all documents of interest to the public in Wales will be made available in both English and Welsh on our websites. It will be clearly

noted how to access the Welsh language material that is available. We will also undertake a full review addressing the bilingual provision of information on our websites.

### **Press notices, advertising and publicity**

33. We will issue bilingual press notices to the press and broadcasting media in Wales where the subject matter is of particular interest to the public in Wales. To support this, we have several Welsh speakers available to represent the LSC in interviews with the Welsh media. We will also place bilingual copies of any press notice that we issue on the Wales pages of the LSC website to reach a wider audience of Welsh speakers.
34. We will issue bilingual advertisements in English language publications with a local circulation in Wales. Advertisements in Welsh language publications will be in Welsh only.
35. All our publicity campaigns that run in Wales will be communicated in both Welsh and English. In Wales, exhibits and displays for the public are bilingual.

### **Services delivered on behalf of the LSC by other parties**

36. When we enter into an agreement with another public body to jointly deliver a service to the public we will ensure that the service provided is consistent with the terms of this Scheme.
37. The Welsh Language Act 1993 does not directly cover the vast majority of organisations which receive LSC funding to provide legal services. We will nevertheless encourage funded organisations to adopt the ethos of the Act, and any subsequent legislation for example the National Assembly for Wales (Legislative Competence) (Welsh Language) Order 2009, through the contracts that we let where this is appropriate and reasonable. Where the Act does cover a funded organisation, such organisation will provide its services in accordance with its own Scheme.

38. We have implemented and continue to maintain a panel of Welsh speaking solicitors for internal and external use.

### **Partnership working**

39. When we are the strategic and financial leader within a formal partnership, for example through joint commissioning, we will ensure that any public service aspects comply with this scheme.
40. When we join a formal partnership which another organisation is leading, our input to the partnership will comply with this scheme and we will encourage the other partners to comply.
41. When we are a partner in a consortium, we will encourage the consortium to comply with this scheme. When acting in the name of the consortium, we will operate in accordance with this scheme.

### **Recruitment and staffing strategy**

42. We employ a sufficient number of Welsh speaking staff to provide the services described in this Scheme and will continue to monitor this in line with our Linguistics Strategy.
43. As an Equal Opportunities employer, our policy is to recruit the most suitable candidates to vacancies and train them in the particular skills they need to perform effectively. We have adopted a linguistic skills strategy for the Wales office of the Commission. This identifies where we need bilingual skills, where staff already possess such skills, and where we need to ensure such skills are being developed as suitable training and employment opportunities arise and is kept under review.
44. We encourage our staff to learn Welsh or improve their Welsh language skills and, where this meets an identified business need, we meet the cost of their training.
45. We will develop the ability of our Welsh speaking staff to operate in Welsh by providing vocational training in Welsh, whenever appropriate.

46. Recruitment advertisements for staff and Legal Services Committee members in Wales-based publications will be bilingual. This commitment will be followed even if the post to be filled is not one where the ability to speak Welsh is a desirable or essential factor. Advertisements in the major UK newspapers will normally be in English.
47. We will ensure that all new staff, regardless of the location of their office, will receive an overview of the Welsh Language Scheme as part of their induction.

### **Implementing, monitoring and publishing this Scheme**

48. A timetable for giving effect to the measures in this Scheme is at Appendix 1.
49. This Scheme will be monitored on an ongoing basis by the LSC and a specific bilingual Report on our performance in implementing and delivering this Scheme will be produced annually, available publicly on our website and copied to the Welsh Language Board.
50. Complaints from members of the public about a failure to comply with this Scheme will form an important part of the monitoring process. Any complaint about our services in Welsh should be addressed to the Complaints Manager, Legal Services Commission, Marland House, Central Square, Cardiff CF10 1PF or telephoned to us on 0845 6099989. Any such complaints will be dealt with to the same time and quality standards as our usual complaints procedure. If you are dissatisfied with our response you may take the matter up with the Welsh Language Board.
51. Suggestions for improvement to our services in Welsh are also welcome and will be considered as part of our monitoring process. They should be directed to the same address as at paragraph 46 above.
52. This revised Scheme, *once approved and adopted*, will be advertised by placing bilingual posters in the public areas of our Wales office. Copies of this Scheme will also be made available as a free bilingual document from our Wales office

and will be available on our website. We will also produce and make publicly available a bilingual leaflet which summarises the key elements of the Scheme and explains how copies of the full Scheme can be obtained. We will also comply with any guidance issued by the Welsh Language Board on how to publicise the Scheme.

## Appendix 1 - Timetable

Actions	Timetable
<p><b>New Policies and initiatives (para.4)</b></p> <p>1. Equal status to be given to the Welsh language in any development of new policies and procedures or when considering the impact of government policies and initiatives.</p>	<p>We will implement a formal process to ensure that any new policies and procedures comply with our obligations under this scheme within 6 months of implementation.</p>
<p><b>Internet Websites (para. 32)</b></p> <p>2. Community Legal Advice Website – will be available in both English and Welsh languages</p> <p>We will also undertake a full review addressing the bilingual provision of information on our websites.</p>	<p>Implementation plan in place to meet this.</p> <p>We will undertake a full review addressing the bilingual provision of information on the LSC website and devise an action plan to increase the bilingual content of this site within 6 months of implementation of the scheme.</p>
<p><b>Publications (para.30)</b></p> <p>3. All published materials intended for the public in Wales will be produced bilingually in one document unless the size or complexity of the document dictates the need for separate Welsh and English versions.</p>	<p>Already implemented and ongoing for documents originating in Wales. We will ensure that all other published materials meet this requirement where reasonable and practicable to do so. Within 6 months of the scheme being adopted we will review all publications for the public and prepare an implementation plan.</p>
<p><b><u>Measures for dealing with the public in Wales (para. 26)</u></b></p> <p>4. We will consult with our contracted suppliers in Wales to identify what additional bilingual services we should provide and, where it is reasonable to do so, we will implement those services.</p>	<p>We will carry out a survey of our providers within 3 months of the implementation of this scheme to establish what additional bilingual services they would require and where reasonable to do so we will draw up an action plan to implement those services.</p>

<b>Actions</b>	<b>Timetable</b>
<p><b>Correspondence and Personal Attendances (paras 15 &amp; 25)</b></p> <p>5. We will maintain a current record of the names of individuals and organisations that have expressed a wish to receive written correspondence through the medium of Welsh.</p>	<p>We will introduce a system to establish language choice at the first point of contact and record the preference for future use by ensuring that files and records are clearly marked.</p> <p>We will also introduce a system to record the details of individuals and organisations who have expressed a wish to receive correspondence through the medium of Welsh.</p> <p>Both within 6 months of the implementation of this scheme.</p>
<p><b><u>Implementing, monitoring and publishing this Scheme (para. 47)</u></b></p> <p>6. Suggestions for improvement to our services in Welsh are also welcome and will be considered as part of our monitoring process.</p>	<p>We will introduce a system within 6 months of the implementation of this scheme to consult with Welsh speaking visitors to our offices regarding our Welsh language services in order to establish any suggestions for improvement. Provision will be made to implement these suggestions where it is reasonable to do so.</p>